

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOSEPH FUCE, II, Sui Juris

Plaintiff,

v.

MICHELE HOFFMAN,

Defendant.

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CIVIL ACTION

No. 09-4916

ORDER

AND NOW, this 28th day of January, 2010, upon consideration of Defendant Michele Hoffman's Motion to Dismiss (Doc. No. 2), and the documents submitted by Plaintiff Joseph Fuce, it is hereby **ORDERED** that the Motion is **GRANTED**.

It is further **ORDERED** that Plaintiff's Motion for Default Judgment (Doc. No. 4) is **DENIED**.

BY THE COURT:

/s/ Robert F. Kelly
ROBERT F. KELLY
SENIOR JUDGE